

STAT

ARTICLE APPEARED
ON PAGE A-15NEW YORK TIMES
28 MARCH 1983

'War on Nicaragua'

By Saul Landau



CONGRESS should declare war on the Government of Nicaragua and thereby preserve the Constitution.

The United States Government is waging war against Nicaragua and has been for more than a year, but Congress has not declared war. The Constitution gives this power to Congress, but someone else has usurped it — and, by calling the war intelligence activity, they've gotten away with it. The "someone" is the Central Intelligence Agency, commanded by President Reagan. Here is how the usurpation took place.

According to a member of Congress, on Nov. 19, 1981, William J. Casey, Director of Central Intelligence, rode a little-used elevator to the fourth floor of the Capitol, where the House Select Committee on Intelligence occasionally meets. Mr. Casey informed the Congressmen that the President had "signed on" to a \$19 million covert package — money now being used to destabilize and eventually overthrow the Nicaraguan Government.

Congress is now informed, Mr. Casey told the gathering, referring to the Hughes-Ryan Amendment, which the C.I.A. has interpreted to mean that Congress is "informed" as soon as the intelligence committees are told about violent covert actions. Each intelligence committee member, however, is oath-bound not to reveal a word of what he knows, even to other House and Senate members.

That's how the war began — in policy circles. On the ground, the players are different. Some of the ways in which Mr. Casey's \$19 million budget gets spent are described in a videotape I received in the mail from an unknown sender. It contains testimony by an Argentine, Hector Frances, who claimed that he defected from Argentine Intelligence Battalion No. 601, which had posted him to Costa Rica to work with the C.I.A. to overthrow the Nicaraguan

Government. He says that he and other Argentine advisers were paid \$3,000 a month plus lavish hotel and living expenses in Costa Rica and Honduras. He says that on several occasions he carried payoff dollars — enormous sums spent to maintain thousands of former members of the late Nicaraguan President Anastasio Somoza Debayle's National Guard, "feeding them and keeping the camps going." (Conversations with United States Intelligence officials and an Argentine officer have since confirmed Mr. Frances's identity and his statements about the C.I.A. and Argentine roles in Nicaragua.)

Further corroboration came from William Baltodano, a Nicaraguan convicted in January 1982 of conspiring to dynamite Nicaragua's oil refinery and cement plant. He met Mr. Frances in Costa Rica and they worked together on the sabotage plan. Mr. Baltodano, who spoke to me in a Managua prison, said that Argentines had given him \$50,000 to buy arms and explosives.

Mr. Frances's tape described the C.I.A.'s involvement in other sabotage operations, including one in which Argentine and C.I.A. agents apparently blew up a bridge near the Honduran border. I saw the bridge — and the job was done so thoroughly that the Nicaraguans still hadn't been able to repair it six months later.

Mr. Reagan "signed on" to more than a property damage plan when he gave the C.I.A. the green light. I spoke to Nicaraguan widows left with many children, and to women whose husbands and sons had been kidnapped and still had not returned. Peasants complained to me that shells were lobbed daily from Honduras into their villages, and I saw many evacuating the war zone with their belongings piled on ox carts.

In a Nicaraguan prison, two captured former Guardsmen told me more about how the C.I.A.'s \$19 mil-

lion is distributed. The two men said that a Honduran Army major took them from a refugee camp in Honduras to a training camp where they learned guerrilla and commando tactics. Then they became bodyguards for a camp commander. He met monthly in a Tegucigalpa safe house with "a gringo colonel" who handed out thousands of Honduran lempiras, according to the Guardsmen.

"How did you know he was from the U.S. Army?"

"Our commanders told us, they identified him as U.S. Army."

The M-79 grenades, the United States-made rocket launchers, ration boxes and radio equipment, the ex-Guardsman's testimony, the Argentine defector, the dynamiter, the member of Congress — all add up to war waged by our Government under the name of intelligence.

The warmaking power is the most important power Congress has. It is still not too late to call for a declaration of war. If a majority of members decide that Nicaragua has not provided *causis belli*, they will vote against declaring war. Perhaps then and only then will they exert their constitutional power and stop the covert war.

Saul Landau is a senior fellow at the Institute for Policy Studies, a Washington-based research organization.

STAT